United Nations A/HRC/39/NGO/38

General Assembly

Distr.: General
30 August 2018

English only

Human Rights Council
Thirty-ninth session
10-28 September 2018
Agenda item 10
Technical assistance and capacity-building

Written statement* submitted by the Maat for Peace, Development and Human Rights Association, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[21 August 2018]

* Issued as received, in the language(s) of submission only.

GE.18-14278(E)
1814278

Please recycle

Human Rights situation in Somalia

Risks of negative external interference with the HR situation in Somalia

Somalia is an important strategic fulcrum within the Horn of Africa. Prompting a number of countries with ambitions in the area, such as Qatar, France, and the United States, to actively pursue their influence, either by building military bases, by interfering through the charitable foundations, or development work, and those interventions negatively affect the Somali political situation and the Somali human right situation.

Some oil countries that support terrorist organizations, are active in igniting areas of conflict and threaten international peace and security, especially in strategic corridors, have discovered the strategic dimension of the Somalia site, especially after the outbreak of crises within the Middle East region, where the state controls important maritime outlets The Red Sea, the Gulf of Aden, and the Indian Ocean, as well as the ways of transporting oil from the Gulf to Europe and America.

Qatar is one of the most passive countries to bet a negative role in Somalia's internal matter, through its alliance with some parties in the political process, as well as documentation for some terrorist organizations, were leaked documents published on the famous WikiLeaks site indicated that the former US ambassador to the United Nations, Susan Rice, "In 2009, it had stressed the need to put pressure on Qatar to stop the funding of Al-Shabaab Al-Mujahideen in Somalia. [1]

Turkey, by founding the Turkish military base in the south of the Somali capital, which cost about $50 million. Turkey is attempting to open up new markets for Turkish weapons, which will give Turkey a strategic extension within the Horn of Africa, confront the growing influence of some forces Regional and international points. On that point are some reports that Turkey has secretly made a sort of communication between it and Al-Shabaab Al-Mujahideen in Somalia, which was following al-Qaida until it joined the ISIL later. Al-Shabaab Al-Mujahideen in Somalia is the major responsibility for the bombings and terrorist operations in Somalia. [2]

The international powers such as the United States of America and France, both are proving to furnish material and military backing of the Somali army to bring down the military strength of Al-Shabaab Al-Mujahideen in Somalia. With the growing rapprochement of China and Djibouti and the United States ' fear for its interests in the Horn of Africa region in general. In particular, the United States has started to pay increasing attention to what is going on in Somalia. And then that it has included the provision of assistance to government institutions in the United States foreign policy towards Somalia. But such aid does not aid the cause of human rights every bit much as it contributes to the political conflict in the country.

France sympathetic to the concerns of Djibouti. Feared that the internal situation in Djibouti could deteriorate as a result of the conflicts in neighboring Somalia, which could adversely affect its strategic interests in the region. And therefore France sent French troops from Djibouti to Somalia, so that the US forces do not control strategic interests in Somalia alone. At the same time to establish its presence in the strategic rivalry equation with other international actors present in the African region.[3]

This external intervention in the internal Somali context has contributed to the absence of any effective strategies or policies for the promotion of humar rights situations.

Human rights and humanitarian crises within the Federal State of Somalia

The humanistic and human rights situation in Somalia has become extremely tense, particularly after the "Al-Shabaab Al-Mujahideen in Somalia " attacks on civilians, the most severe of which took place on 14 October 2017 at the capital

[1] Ahmed Adel, US website: Qatar finances terrorism in Somalia. "Doha" launches training camp for armed militias in Kenya. Qatar supports Al-Shabaab of the African East destabilization ‹ Posted on the news portal, April 16, 2018.

[2] Strategic risks facing Turkey in its stationing in Somalia posted on the Arab site on October 1, 2017.

[3] African Research and Studies Institute, African Strategic Report 2014/2015, 10th edition, I 1, Nubar-crossing.

Mogadishu hotel. Were the attacks claimed the lives of more than 512 people, and according to Human rights reports, about three civilians were killed during 2017, in 31 United States attacks using Air Force aircraft and drones. [4]
For refugee affairs, according to the United Nations Office of the High Commissioner for Refugees, some 32500 Somali refugees were repatriated from January to November 2017, volunteers from Kenya to Somalia.
Speaking of freedom of expression. The "Al-Shabaab Al-Mujahideen in Somalia "has prevented journalists from working in areas controlled by them. "Al-Shabaab" proceeded to arrest and threaten media workers. In July, the Somali Cabinet approved a repressive law establishing a statutory regulatory body, the Minister of Information appoints its members to monitor the content of print and broadcast media. And a ban on news that considers false, without a well-defined definition of this legislation. This legislation is vague in language, imposes extensive restrictions on the work of journalists, and gives the government broad discretion to prosecute media workers .The Somali journalists ' union noted that more than 30 journalists had been arrested and detained by Somalia authorities for criticizing the government.
As for the rights of women, the quota system in the Somali elections allocated 30% of the seats for adult females, thus improving the representation of women in the House of Representatives and the Senate. However, the prevalence of sexual violence continued, and the Somali Integrated Management System at least 271 cases of gender-based violence against displaced women in Somaliland, 312 in Puntland and at least 400 in southern and central Somalia. As well as poverty and drought that has led to more women being separated from their families.
In view of economic, societal and cultural rights, Somalia has been hit by an unprecedented drought that has contributed to a substantial growth in the number of internally displaced persons, estimated to be 943,000 by the conclusion of 2017. More than three million people have been exposed to food insecurity, Malnutrition reached serious levels in southern and central Somalia. According to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), 388,000 children are malnourished and 87,000 are at risk of dying unless they receive life-saving support.5

The role of the Human Rights Council in improving the human rights situation in Somalia

On 29 September 2017, the Human Rights Council adopted a resolution on assistance to Somalia in the discipline of human rights. The Council welcomed the commitment of the Federal Government of Somalia to improving the human rights situation in Somalia and endorsement the first National Development Plan. And the Council welcomed the new international partnership that had been adopted to provide security and protection as the Somali people deserve and need it, and also welcomed the draft Child Protection Act, the Law on Sexual Offenses and the continued commitment of the Somali Government to the process of UPR.
In the same report, the Council stated its concern about violations and abuses against women. These violations, including sexual violence, underage marriage, forced marriage and female genital mutilation. And also stated fear of the violations of minors, such as illegal recruitment their use in armed struggle, and snatches.
The Council also stated its concern about the abuses of internally displaced individuals, as well as human rights protectors and media workers, and their harassment. The Council recognized the efforts established by some states to host Somali refugees. The Council urged the international community to continue to offer financial backing to meet the humanitarian needs of Somali refugees in the region.
The Council submitted its recommendations to the Federal Government of Somalia. The recommendations included the implementation of constitutional reform commitments. An end to the pervasive culture of impunity. The pursuance of those responsible for human rights violations. The enforce a zero-tolerance policy on the violence of sexual and gender-based. And ensuring the reform of the security sector. Increase support and resources for ministries and institutions involved in the disposal of justice and the protection of human rights. Ensure the participation of women in public and political spirit. Work to protect and advance freedom of expression and information. Submitting to the Convention on the Elimination of All kinds of Discrimination Against Women. The Convention on the Rights of Persons with handicaps. The Convention on the Prevention and Punishment of the Crime of Genocide and the promotion and protection of internally displaced individuals from all types of violence and victimization. In that respect are substantial difficulties in their reintegration into society.

[4] Amnesty International, Annual Report 2017/2018, Report of the State of Somalia during the year 2017.

[5] Same as previous source.

Recommendations

I. The United Nations and its organs

- Providing technical and material support to the Government of Somalia for the promotion and protection of human rights and ensuring the operationalization of international human rights instruments.
- Provide the independent expert on the situation of human rights in Somalia with all information, human, technical and financial assistance, to carry out his functions optimally.
- Pressure on states to stop their internal Somali interventions and to provide assistance to the Government of Somalia to ensure the realization of the principle of sovereignty and non-interference.

II. The Federal Government of Somalia

- The need for public policies to be in compliance with international human rights, obligations, and covenants, by improving legal frameworks and legislation
- Develop a national plan of Action for the elimination of all forms of violence, in particular, sexual violence in conflict.
- Cooperate with United Nations mechanisms and international human rights experts in Somalia to enable the Somali Government to provide security and protection to all citizens in accordance with international law.
- Intensify national efforts and international partnership to eliminate terrorism, especially the " Al-Shabaab Al-Mujahideen in Somalia ", and establish strict obligations and standards to avoid harm or harm to civilians .